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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/669,854	09/27/2000	Ikuyo Ikeda	196466US 2	6529

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EXAMINER

TRAN, QUOC A

ART UNIT PAPER NUMBER

2176

DATE MAILED: 02/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/669,854

Applicant(s)

IKEDA, IKUYO

Examiner

Quoc A. Tran

Art Unit

2176

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 24 January 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 01/24/2006
13. ☐ Other: _____.

William Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
2/1/2006

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments filed after the final rejection on 01/24/2006 have been fully considered but they are not persuasive.

In response to applicant's arguments on pages 2-8, for claims 1-3, 5-6, 8-11, 13-24 and 26-46, Applicant argues the rejection under 35 USC 103, Obviousness (see Remarks, pages 11-17).

To concisely address the elaborate arguments presented, the Examiner respectfully disagrees for the detailed reasons stated in the rejection of each claim limitation previously presented in Office Action mail date 11/30/2005 (please see rejections for detail). In further support of the previous Office Action, please note the following:

Additionally, applicant's argument is Munetomo, Gaglione and Hansen do not teach, printer driver performing editing on image data. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to appreciate that printer driver is a software that serves as the communication link between applications and the page-description language used by printers.

Examiner Using the broadest reasonable interpretation of the claims, Munetomo reference, discloses computer system having: a computer; a printer connected with the computer; and a printer driver specific to the printer, wherein printer driver having a print setting screen (see Munetomo col. 1. lines 1-10), which serves as the communication link between the printer driver and the print support software to dictate what would be print out to the printer (see Munetomo col. 11. lines 5-45, also see Fig. 5).

Munetomo does not explicitly teach, the detail steps of editing such as claim by the Applicant's invention "includes an inserting at least one of the text, an image, and a graphic into a display image", however (Hansen at col. 9, lines 24-40), discloses a GUI interface, wherein document can be collectively "objects" are visually represented on the workstation display, such as with icons, tree structures and pull-down menus, and may be interacted with using known devices and methods such as utilizing a mouse or track ball to control a visually represented pointing device which is then used to click, select, drag and drop the displayed representations.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified teaching of Munetomo, provided a printer driver, to include a means of utilizing the print support software of Hansen for managing the production printing. One of the ordinary skills in the art would have been motivated to perform such a modification to provide a print image forming device that capable of producing high quality document and the ability to manipulate the original document plus the instruction for producing the finishing product to transmitted to a printer, (as taught by Hansen at col. 1, lines 15-45).

Further more, In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., printer driver performing editing on image data) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims (see claims 15-24 pages 2-5).

Thus, Using the broadest reasonable interpretation of the claims, since Claims 15-24 do not explicitly claim such feature (printer driver performing editing on image data), it would have been obvious to a person of ordinary skill in the art at the time the invention was made to read the claims limitation in the broadest interpretation as cited above.

Therefore claims 15-24 are deemed to be proper at least for above the reason at this time.

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PRIMARY EXAMINER
2/7/2006